

1 W. SCOTT QUINLAN, 101269
Attorney at Law
2 2300 Tulare Street, Ste. 300
Fresno, Ca 93721
3 PHONE: (559) 442-0634
4

5 Attorney for Defendant LORENZO AMADOR
6
7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOEY MAGADAN, et al.

15 Defendants.
16
17
18

No. 1:23-cr-0115 ADA BAM

**DEFENDANT JOEY MAGADAN'S NOTICE
OF WITHDRAWAL OF MOTION TO
DISMISS COUNTS THREE, THIRTEEN, AND
FOURTEEN OF THE ORIGINAL
INDICTMENT AND ORDER**

DATE: October 23, 2023
TIME: 10:00 a.m.
PLACE: Hon. Ana de Alba
Courtroom 1

19 Defendant Joey Magadan, hereby moves to withdrawal his Motion to Dismiss Counts
20 Three, Thirteen, and Fourteen of the original Indictment currently set to be heard on October 23,
21 2023 at 10:00 a.m. before the Honorable Ana de Alba.

22 THERE IS GOOD CAUSE to withdraw Mr. Magadan's motion as the government has
23 filed a Superseding Indictment mootng objections to the original Indictment. Further, the parties
24 are negotiating a possible resolution in the case which would moot any possible objections to the
25 Superseding Indictment. Counsel for co-defendant Miguel Barragan, who had joined the Motion
26 to Dismiss Count Three, agrees to the withdrawal of this motion without prejudice.

27 ///

28 ///

1 The parties, through their counsel, stipulate to withdraw the Motion to Dismiss Counts
2 Three, Thirteen, and Fourteen of the original Indictment.

3
4 **IT IS SO STIPULATED**

5 Dated: September 6, 2023

Respectfully submitted,

6
7
8
9 /s/ W. Scott Quinlan
W. SCOTT QUINLAN, Attorney for
10 Defendant JOEY MAGADAN

11 Dated: September 6, 2023

12 /s/ Peter Jones
PETER JONES, Attorney for Defendant
13 MIGUEL BARRAGAN

14
15
16 Dated: September 6, 2023

/s/ Antonio Jose Pataca
ANTONIO JOSE PATACA
17 Assistant United States Attorney

18
19
20 **UPON GOOD CAUSE appearing, it is ORDERED** that the Motion to Dismiss Counts Three,
21 Thirteen, and Fourteen of the original Indictment in this case be withdrawn.

22
23
24 **IT IS SO ORDERED.**

25 Dated: September 7, 2023

26 
UNITED STATES DISTRICT JUDGE